



LAHIVE
&
COCKFIELD
L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@lahive.com

AA
JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPORT HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
PETER C. LAURO
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
NICHOLAS P. TRIANO, III
DAVID J. RIKKERS
DAVID R. BURNS
JOHN S. CURRAN

SEAN D. DETWEILER
CYNTHIA L. KANIK, Ph.D.
MEGAN E. WILLIAMS, Ph.D.
RICHA NAND
MICHAEL PHILLIPPS
LISA M. DIROCCO

SENIOR COUNSEL
JAMES E. COCKFIELD

OF COUNSEL
JEREMIAH LYNCH
WILLIAM A. SCOFIELD, JR.

PATENT AGENTS
PETER S. STECHER
THEODORE R. WEST
SHAYNE Y. HUFF, Ph.D.
HATHAWAY P. RUSSELL

SECTOR
TECHNICAL SPECIALISTS
MARIA LACCOTRIPE ZACHARAKIS, Ph.D.**
CYNTHIA M. SOROOS
PETER W. DINI, Ph.D.
EUIHOON LEE
JENNIFER K. ROSENFELD
JUDITH STONE-HULSLANDER, Ph.D.
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. McPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
ASHITA DOSHI, Ph.D.
JACOB G. WEINTRAUB

* Admitted in NY only
** Passed the Patent Bar Examination

August 23, 2001

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/746,783
Inventors: Kenneth Jacobs, et al.
Filed: December 21, 2000
Title: *Secreted Proteins and Polynucleotides Encoding Them*
Attorney Docket No.: GIN-6054CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Application (*in duplicate*);
2. Request for One-Month Extension of Time (*in duplicate*);
3. Five (5) Executed Declaration, Petition and Power of Attorney (40 pages);
4. Transmittal Letter for Diskette of Sequence Listing;
5. Sequence Listing Diskette;
6. Paper Copy of Sequence Listing (numbered pages 1-167);
7. Copy of Notice to File Missing Parts of Non-provisional Application;
8. Check in the amount of \$1,880.00 (consisting of \$1,040.00 extra claims fee, \$710.00 application filing fee and \$130.00 surcharge/late filing fee);
9. Check in the amount of \$110.00 (extension fee based on large entity status); and
10. A return postcard.

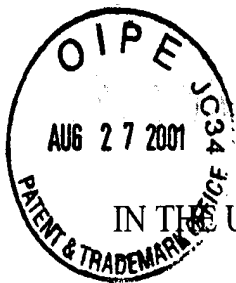
Please charge any deficiencies associated with this communication to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

<p>Certificate of First Class Mailing (37 CFR 1.8(a)) I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on:</p> <p>August 23, 2001 Date</p> <p>Debra J. Milasincic, Esq., Reg. No. 46,931</p>
--

Respectfully submitted,

LAHIVE & COCKFIELD LLP

Debra J. Milasincic, Esq.
Reg. No. 46,931



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Kenneth Jacobs, et al.

Serial No.: 09/746,783

Filed: December 21, 2000

For: "Secreted Proteins And Polynucleotides
Encoding Them"

Attorney Docket No.: GIN-6054CP

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

Certificate of First Class Mailing under 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on the date set forth below.

August 23, 2001

Date of Signature and of Mail Deposit

By: 

Debra J. Milasincic, Esq.

Reg. No. 46,931

Attorney for Applicants

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

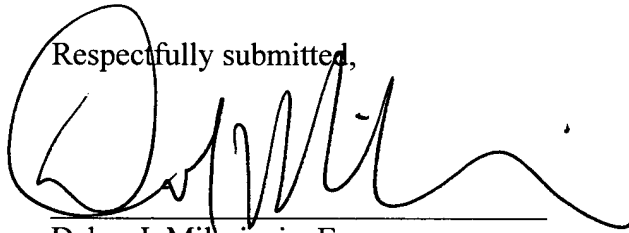
Dear Sir:

Responsive to the Notice to File Missing Parts of Application dated May 23, 2001, Applicants' attorney submits herewith five (5) executed Declaration, Petition and Powers of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$ 1,880.00 is enclosed to cover the total amount owed by Applicant including \$130.00 surcharge, \$710.00 basic filing fee, \$1,040.00 additional claim fee for 13 independent claims over 3. A copy of the Notice to File Missing Parts of Non-Provisional Application is also enclosed. A separate request for an extension of time is being filed concurrently herewith.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *A duplicate of this letter is enclosed.*

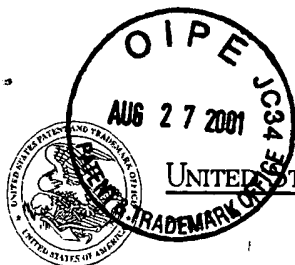
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Debra J. Milasincic', written over a horizontal line.

Debra J. Milasincic, Esq.
Registration No. 46,931
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: August 23, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/746,783	12/21/2000	Kenneth Jacobs	GIN-6054CP

000959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 1408

FORMALITIES LETTER



OC00000006107625

Date Mailed: 05/23/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1040.
 - \$1040 for 13 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1880.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

06/23/2001 KZHDIE 00000063 09746783


01 FC:101
02 FC:102
03 FC:102

710.00 OP
130.00 OP
1040.00 OP

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE